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To:	FROM:
Customer Service – GAU 3728	James A. Niegowski
COMPANY:	DATE:
U.S. Patent and Trademark Office	February 21, 2003
FAX NUMBER:	TOTAL NO. OF PAGES (INCLUDING COVER SHEET):
703-872-9302	7
YOUR REFERENCE No.:	OUR REFERENCE (C/M) No.:
Serial No. 09/960,627	005127.00062
RE:	
Submission of Response to Restriction Requirement and Preliminary Amendment	
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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/960,627
Filing Date	September 21, 2001
First Named Inventor	Daniel R. Potter et al.
Group Art Unit	3728
Examiner Name	A. Stashick
Total Number of Pages in This Submission	Attorney Docket Number 005127.00062

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Response to Restriction Requirement
Remarks		
The Commissioner is hereby authorized to charge any necessary fees, including any fees under 37 CFR §1.16 or 37 CFR §1.17, to Deposit Account No. 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James A. Niegowski, Reg. No. 28,331
Signature	
Date	February 21, 2003

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 872-9302 on February 21, 2003.

Typed or printed name	James A. Niegowski
Signature	
Date	February 21, 2003

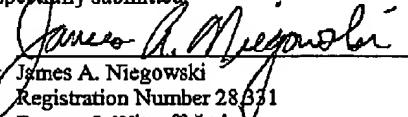
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JW.
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Respectfully submitted,


By: James A. Niegowski
Registration Number 28,331
Banner & Witcoff, Ltd.

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of) Group Art Unit: 3728
Daniel R. POTTER et al.) Examiner: Stashick, A.
Serial No. 09/960,627) Attorney Reference: 005127.00062
Filed: September 21, 2001)
For: FOOTWEAR WITH BLADDER)
TYPE STABILIZER)

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

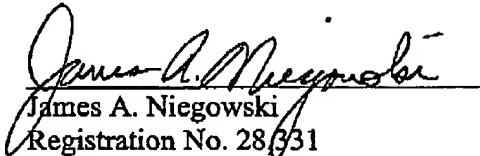
In response to the Restriction Requirement mailed January 21, 2003, Applicants provisionally elect the species of Figures 1-6 and submit that claims 1-15, 25, 29, and 32-43 are readable thereon. This election is made without traverse.

Applicants also submit that claims 1-2, 14-15, 25, 29, and 32-43 are generic to all species disclosed in the application. Upon allowance of a generic claim, the Applicants respectfully request that species claims pending in the application be considered.

This Response is being timely filed by facsimile transmission. Should additional fees or an extension of time be deemed necessary for consideration of this Response, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account

number 19-0733 for the payment of the requisite fee. Examination on the merits is respectfully awaited.

Respectfully submitted,

By: 
James A. Niegowski
Registration No. 28331

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Dated: February 21, 2003